

Customer Access Review – Full Assessment

Assessment details		
Assessment area		Planning Enforcement
Date of assessment		03-09-19
Directorate and Service		Planning and External Services
Manager		Teresa Ryszkowska, Head of Regeneration
Officer conducting assessment		Sonia Bunn, Development Manager
Step 1: Scoping the assessment		
1	What are the aims and objectives of the activity or proposal?	In accordance with para 58 National Planning Policy Framework 2019 to set out the Council’s approach to planning enforcement through the production of a local Enforcement Plan.
2	Who will be affected?	Residents and businesses, people reporting breaches, owners, interested parties, internal Council sections.
3	How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<p>ET 2. Ensure that development in Dartford is sustainable, with high standards of design, layout and water/energy efficiency.</p> <p>ET 4. Ensure a high quality street scene.</p> <p>PS 2. Inform and consult residents and stakeholders about Council services.</p> <p><i>To make Dartford the place of quality and choice, a place where people choose to live, work and enjoy their leisure time.</i></p>
4	Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?	<p>The National Planning Policy Framework advises that local planning authorities produce a Local Enforcement Plan. This is not a mandatory requirement.</p> <p>The objective of effective planning enforcement is to address any harm caused by a breach of planning control rather than to punish those involved. Harmful development is that which has an unacceptable effect on public amenity or the existing use of land and buildings, which merit protection in the public interest.</p>

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		<p>The response to an alleged breach of planning control is at the discretion of the Council and will be related to the nature and degree of any demonstrable harm caused.</p> <p>The Planning Enforcement Plan sets out how cases will be prioritised in order to ensure a transparent and consistent approach.</p> <p>Planning enforcement is carried out in accordance with Planning legislation.</p>
Step 2: Information collection		
<p>Note: Equality and Diversity information for Dartford can be found at http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data</p>		
5	<p>What do you know about the groups of people who will be affected? i.e. demographic information in relation to the protected characteristic groups (age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment)</p>	<p>All residents, employees, businesses and landowners in the Borough and sometimes those outside the Borough.</p> <p>An assessment will be carried out for each specific enforcement investigation</p>
6	<p>What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>Internal consultation. The document will go on the website and can be updated to reflect comments submitted.</p> <p>The Planning Enforcement Plan is based on planning legislation requirements and best practice. There is little opportunity for differences in approach.</p> <p>The Enforcement Plan does not set out new proposals and simply brings together all procedures following an update to the NPPF this year.</p>
7	<p>Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</p>	<p>None</p>
Step 3: Assessing the equality impact		
8	<p>Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the General Equality Duty:</p> <p>a) tackling unlawful discrimination b) promoting equality of opportunity</p>	

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c) promoting good relations <u>NOTES:</u> <ul style="list-style-type: none"> • The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration • For existing activities, consider how they are working in practice for each relevant protected group • For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group • If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9 • If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9 					
		POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
a	Age	No age limit on who can complain.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b	Disability	The plan will be available in accessible formats.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
c	Gender (including reassignment)			<input type="checkbox"/>	<input checked="" type="checkbox"/>
d	Race	The Council offers a translation service.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
e	Religion/Belief			<input type="checkbox"/>	<input checked="" type="checkbox"/>
f	Sexual Orientation			<input type="checkbox"/>	<input checked="" type="checkbox"/>
g	Pregnancy/Maternity			<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	If 'no impact' or 'unknown' was selected, please explain	<p>The Planning Enforcement Plan reflects planning legislation and therefore follows government guidance. The impact of the document is unknown as it is a new requirement under planning guidance and the groups affected are unknown until an investigation is underway. However, following release of this document an initial review will be undertaken to address any comments or representation made by those affected by it. The Enforcement Plan will then be reviewed annually or sooner if necessary and the Customer Access Review will be carried out again at this time.</p> <p>It is the investigation of individual cases that will have more impact and any action is considered with regard to the Equality Act.</p>			
10	If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that	<p>The Planning Enforcement Plan is based on planning legislation requirements and best practice. Any partners will mostly be statutory agencies, such as KCC and the Environment Agency. It is the</p>			

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	could give rise to positive or negative equality impacts between different groups	investigation of individual cases that will have more impact and any action will be considered with regard to the Equality Act.
11	Any other comments	

Step 4: Action plan					
12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:					
a) any gaps in information and consultation					
b) how any negative impacts on equality will be mitigated or eradicated					
a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?					
Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Customer feedback	Provide a reporting system and record verbal comments	To understand and assess customer views and the effectiveness of the Planning Enforcement Plan	1 year from publication	Individually monitored on an on-going basis and annually. Reviewed once a month.	Sonia Bunn, Development Manager
b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?					
Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None identified (will be reviewed on a regular basis)					

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Step 5: Decision making and future monitoring		
13	Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	External Services Strategic Director
14	How will you continue to monitor the impact of the activity or proposal on the equality groups?	Regular review of the Planning Enforcement Plan, at least annually or sooner if case law changes. Assessment under the Equalities Act is an on-going process during enforcement investigation of cases.
15	When will you review this Customer Access Review?	Annually or sooner if significant changes to legislation or representations are made or if an impact becomes apparent.
Step 6: Final steps		
16	Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer	
17	If the subject of the Customer Access Review is going to committee, summarise your findings in the committee report	
18	Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded	